

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EASTERN CONTRACTORS, INC.

Plaintiff

V.

CIVIL NO. 03-12216 MLW

CITY OF WORCESTER

THOMAS R. HOOVER

HEERY INTERNATIONAL, INC.

THOMAS A. ELLIS

Defendants

SCHEDULING ORDER

ALEXANDER, U.S.M.J.

This Order is intended primarily to aid and assist counsel in scheduling and planning the preparation and presentation of cases, thereby insuring the effective, speedy and fair disposition of cases, either by settlement or trial.

The above-entitled action having been filed on November 12, 2004, it is hereby ORDERED pursuant to Rule 16(b) of the Federal Rules of Civil Procedure and Local Rule 16.1(F), that:

- (1) all trial expert disclosures of information contemplated by FRCP, Rule 26(b) is to be provided by **December 30, 2004**, from the plaintiff and **January 30, 2005**, from the defendant;
- (2) all depositions are to be completed by **February 28, 2005**;
- (3) all trial expert depositions are to be completed by **March 30, 2005**;
- (4) all dispositive motions, including motions for summary judgment, are to be filed by **April 30, 2005**, and responses are to be filed fourteen (14) days thereafter pursuant to Local

Rule 7.1 and all filings must conform to the requirements of Local Rule 56.1;

- (5) discovery is to be completed by **November 30, 2004**, unless shortened or enlarged by Order of this Court;
- (6) a further status conference or motion hearing will be held on **November 17, 2004**, in **Courtroom # 24** on the **7th** floor.

All provisions and deadlines contained in this order having been established with the participation of the parties to this case, any requests for modification must be presented to the district judge or magistrate judge, if referred for case management proceedings. Any requests for extension will be granted only for good cause shown supported by affidavits, other evidentiary materials, or reference to pertinent portions of the record. The request shall be made by motion and shall contain the reasons for the request, a summary of the discovery which remains to be taken, and a date certain when the requesting party will complete the additional discovery, join other parties, amend the pleadings or file motions. The Court may then enter a final scheduling order, if necessary.

Counsel are encouraged to seek an early resolution of this matter. Additional case management conferences may be scheduled by the court or upon the request of counsel, if the Court can be of assistance in resolving preliminary issues or in settlement.

IT IS HEREBY ORDERED THAT

A **status conference** is scheduled at **2:00 PM** on **November 17, 2004**, Courtroom 24, 7th floor.

HONORABLE JOYCE LONDON ALEXANDER
UNITED STATES MAGISTRATE JUDGE
By the Court:

/S/ Rex Brown
Courtroom Clerk

May 3, 2004

Date